

House File 2166 - Enrolled

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1 1 HOUSE FILE 2166
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1 3 AN ACT
1 4 RELATING TO THE PRACTICE OF PHARMACY, INCLUDING PROVISIONS
1 5 GOVERNING TECH=CHECK=TECH PROGRAMS AND SPECIFYING APPLICABLE
1 6 PENALTY PROVISIONS.
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1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 10 Section 1. Section 147.107, subsection 2, paragraph a,
1 11 Code Supplement 2007, is amended to read as follows:
1 12 a. A pharmacist, physician, dentist, or podiatric
1 13 physician who dispenses prescription drugs, including but not
1 14 limited to controlled substances, for human use, may delegate
1 15 nonjudgmental dispensing functions to staff assistants only
1 16 when verification of the accuracy and completeness of the
1 17 prescription dispensing is determined by the pharmacist or
1 18 practitioner in the pharmacist's or practitioner's physical
1 19 presence. However, the physical presence requirement does not
1 20 apply when a pharmacist or practitioner is utilizing an
1 21 automated dispensing system or when a pharmacist is utilizing
1 22 a tech=check=tech program, as defined in section 155A.3. When
1 23 using an automated dispensing system the pharmacist or
1 24 practitioner shall utilize an internal quality control
1 25 assurance plan that ensures accuracy for dispensing. When
1 26 using a tech=check=tech program the pharmacist shall utilize
1 27 an internal quality control assurance plan, in accordance with
1 28 rules adopted by the board of pharmacy that ensures accuracy
1 29 for dispensing. Verification of automated dispensing and
1 30 tech=check=tech accuracy and completeness remains the
1 31 responsibility of the pharmacist or practitioner and shall be
1 32 determined in accordance with rules adopted by the board of
1 33 pharmacy, the board of medicine, the dental board, and the
1 34 board of podiatry for their respective licensees.
2 1 Sec. 2. Section 155A.3, Code Supplement 2007, is amended
2 2 by adding the following new subsection:
2 3 NEW SUBSECTION. 39A. "Tech=check=tech program" means a
2 4 program formally established by a pharmacist in charge of a
2 5 pharmacy who has determined that one or more certified
2 6 pharmacy technicians are qualified to safely check the work of
2 7 other certified pharmacy technicians and thereby provide final
2 8 verification for drugs which are dispensed for subsequent
2 9 administration to patients in an institutional setting.
2 10 Sec. 3. Section 155A.6A, subsection 4, Code Supplement
2 11 2007, is amended to read as follows:
2 12 4. The board shall adopt rules in accordance with chapter
2 13 17A on matters pertaining to pharmacy technician registration,
2 14 application, forms, renewals, fees, termination of
2 15 registration, tech=check=tech programs, national
2 16 certification, training, and any other relevant matters.
2 17 Sec. 4. Section 155A.24, subsection 1, paragraph a, Code
2 18 Supplement 2007, is amended to read as follows:
2 19 a. If the prescription drug is a controlled substance, the
2 20 person shall be punished pursuant to section 124.401,
2 21 subsection 1, and other provisions of chapter 124, division
2 22 IV.
2 23 Sec. 5. Section 155A.33, Code 2007, is amended to read as
2 24 follows:
2 25 155A.33 DELEGATION OF TECHNICAL FUNCTIONS ~~== AUTOMATED~~
2 26 ~~DISPENSING SYSTEMS.~~
2 27 A pharmacist may delegate technical dispensing functions to
2 28 pharmacy technicians, but only if the pharmacist is physically
2 29 present to verify the accuracy and completeness of the
2 30 patient's prescription prior to the delivery of the
2 31 prescription to the patient or the patient's representative.
2 32 However, the physical presence requirement does not apply when
2 33 a pharmacist is utilizing an automated dispensing system or a
2 34 tech=check=tech program. When using an automated dispensing
2 35 system or a tech=check=tech program, the pharmacist shall
3 1 utilize an internal quality control assurance plan that
3 2 ensures accuracy for dispensing. Verification of automated
3 3 dispensing and tech=check=tech accuracy and completeness
3 4 remains the responsibility of the pharmacist and shall be

3 4 determined in accordance with rules adopted by the board.
3 5 Sec. 6. Section 155A.34, Code 2007, is amended to read as
3 6 follows:
3 7 155A.34 TRANSFER OF PRESCRIPTIONS.
3 8 A pharmacist or a pharmacist=intern may transfer a valid
3 9 prescription order to another pharmacist or a
3 10 pharmacist=intern pursuant to rules adopted by the board.

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3 15 PATRICK J. MURPHY
3 16 Speaker of the House
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3 20 JOHN P. KIBBIE
3 21 President of the Senate

3 22 I hereby certify that this bill originated in the House and
3 23 is known as House File 2166, Eighty=second General Assembly.
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3 27 _____
3 28 MARK BRANDSGARD
3 29 Chief Clerk of the House

3 29 Approved _____, 2008

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3 33 CHESTER J. CULVER
3 34 Governor